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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/662,463

09/15/2000

Charles Petruccelli

9547-3

3649

20322 7590 02/27/2007
SNELL & WILMER L.L.P. (Main)
400 EAST VAN BUREN
ONE ARIZONA CENTER
PHOENIX, AZ 85004-2202

EXAMINER

OUELLETTE, JONATHAN P

ART UNIT

PAPER NUMBER

3629

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/662,463	Applicant(s) PETRUCCELLI ET AL.	
	Examiner Jonathan Ouellette	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2006 and 19 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 7-15, 17-22, 24-26, 28, 30, 32 and 33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 7-15, 17-22, 24-26, 28, 30, 32 and 33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Request for Continued Examination

1. The Request filed on 12/8/2006 for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/662,463 is acceptable and a RCE has been established. An action on the RCE follows.

Response to Amendment

2. Claims 4, 6, 16, 23, 27, 29, and 31 have been cancelled, and Claim 33 has been added; therefore, Claims 1-3, 5, 7-15, 17-22, 24-26, 28, 30, 32, and 33 are currently pending in application 09/662,463.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. **Claims 1, 8, 13, 20, and 33 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.** The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

5. Independent Claims 1, 8, 13, and 20 have been amended to include the step of compiling offer data regarding the most frequently requested destination based on information stored in the answer database *relating to a subset of customers*, wherein the offer data is used to select an offer relevant to the offer data *for presentation to the customer*; however, this newly added element was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.
6. The section of the specification referenced by the Applicant (11/17/2006; page 12, lines 17-27) describes wherein the destination expert utility can determine the destination city to which the most customer requests are forwarded – then use the information to tailor advertisements placed on the GUI.
7. This section of the specification is referring to general adds placed on the system display (GUI) generally directing all new consumers to a destination most commonly requested by other users. The specification is not describing a system for using an answer database to target offer data to a specific new customer.
8. Dependent Claim 33 is rejected for the same reasons as noted above for Independent Claim 1.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention

was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-3, 5, 7-15, 17-22, 24-26, 28, 30, and 32 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Taufique (WO 01/20518 A1) in view of Lauffer (US 6,223,165 B1), in view of Gerace (US 5,991,735), and further in view of DeLorme et al. (US 5,948,040).

11. As per Claims 1, 8, 9, 13, and 20, Taufique discloses a method (system, computer-readable storage, device) for facilitating the distribution of information, comprising: [a processor; a storage device in communication with the processor via a system bus, wherein the storage device, and a memory connected to the processor, the memory including an operating system for storing a program to control the operation of said processor, and a destination expert control module, wherein the processor is operative with the destination expert control module to:] communicating with a customer over a computer network having a expert server, wherein the expert server includes an answer database; identifying a plurality of experts, wherein the plurality of experts are in selective communication with the destination expert server (pg.6-8); receiving from the customer, a request comprising customer data and question data , wherein the request is received by the expert server; associating the customer data with the destination question data and storing the association in the answer database (*pg.5 and pg.8 - users are compensated/paid royalties when subsequent end users request and receive same solution; compensation process inherently must track associated question and user information together in database*); facilitating a selection, based on the request, of a expert from the plurality of experts, wherein the expert has particular knowledge about the subject matter; forwarding, by the expert server, the request to the expert (pg.6-8) to facilitate

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the expert to communicate with the customer to provide response to the request (pg.6-8 – Live Help).

12. Taufique discloses automatically retrieving from the answer database, without intervention by the expert, an answer to the customer request, such that the expert response includes the retrieved answer (pg.6-8 – Existing Expert Solution, Fig.1A).
13. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein each expert had a separate answer database which could be automatically searched and sent to end users upon request, in the system disclosed by Taufique. However, the system disclosed by Taufique, wherein all previously answered questions are gathered into one central database, would be an advancement on the claimed invention – allowing for the answers to be more concisely organized and searched.
14. Furthermore, Taufique fails to expressly disclose providing expert advice related to travel.
15. However, Lauffer discloses providing expert advice related to travel (C1 L19-27).
16. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included providing expert advice related to travel, as disclosed by Lauffer, in the system disclosed by Taufique, for the advantage of providing a method (system, computer-readable storage, device) for providing information, with the ability to increase system effectiveness and efficiency by providing expert based answers to a multitude of question types.
17. Taufique and Lauffer fail to expressly disclose compiling offer data regarding the most frequently requested destination based on information stored in the answer database **relating**

to a subset of customers, wherein the offer data is used to select an offer relevant to the offer data for presentation to the customer.

18. However, Gerace discloses providing target advertisements to users (presentation to customer) based on user psychographic profile information (internet viewing habits – equivalent to an answer data base relating to a subset of customers; where the subset is that of the one current customer information) (Abstract, Claims 1-5).
19. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included compiling offer data regarding the most frequently requested destination based on information stored in the answer database relating to a subset of customers, wherein the offer data is used to select an offer relevant to the offer data for presentation to the customer as disclosed by Gerace, in the system disclosed by Lauffer, in the system disclosed by Taufique, for the advantage of providing a method (system, computer-readable storage, device) for providing information, with the ability to increase the effectiveness of the system business model, by providing targeted advertisement information to users.
20. Taufique, Lauffer, and Gerace fail to expressly disclose enabling an interactive session between the destination expert and the customer to facilitate the destination expert interactively processing travel reservation requests from the customer; and wherein the destination expert response includes a proposed itinerary relating to the customer request, wherein the proposed itinerary is based upon the particular knowledge of the destination expert related to the destination city.

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21. However, DeLorme teaches that both travel agencies (C2 L20-41) and online travel agencies (C3 L53-67) have offered an interactive session between the travel agent (destination expert) and the customer to facilitate the travel agent (destination expert) interactively processing travel reservation requests from the customer.
22. Furthermore, Delorme teaches an advancement on the claimed invention wherein the customer can process travel reservations through the Internet without the need for third party assistance (C3 L53-67).
23. Delorme also discloses providing users with a travel itinerary based on user travel requests (Abstract).
24. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included enabling an interactive session between the destination expert and the customer to facilitate the destination expert interactively processing travel reservation requests from the customer; and wherein the destination expert response includes a proposed itinerary relating to the customer request, wherein the proposed itinerary is based upon the particular knowledge of the destination expert related to the destination city as disclosed by DeLorme, in the system disclosed by Gerace, in the system disclosed by Lauffer, in the system disclosed by Taufique, for the advantage of providing a method (system, computer-readable storage, device) for providing information, with the ability to increase system effectiveness and efficiency by providing follow-up service to coordinate with the offered expert advise and detailed travel information.
25. Finally, Although Delorme does disclose the ability of outside agencies to use the travel system for arranging user travel (C15 L14-31); Taufique, Lauffer, and Delorme fail to

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expressly disclose wherein the destination expert response further includes *an offer* to book reservations for the proposed itinerary.

26. However, official notice is taken (and accepted by applicant – as indicated by lack of response in remarks received 3/2/04) that such reservation booking services were well known at the time the invention was made (see Delorme), and it would have been obvious *to offer* such a booking service in the system disclosed by Lauffer, in the system disclosed by Taufique, for the advantage of providing a method (system, computer-readable storage, device) for providing travel-related information, with the ability to increase customer satisfaction by completing the travel related inquiry by booking the travel related service.
27. As per Claims 2, 10, 14, and 21, Taufique, Lauffer, Gerace, and Delorme fail to expressly disclose wherein facilitating selection of a destination expert comprises selecting a destination expert from among the plurality of experts, wherein the destination expert is located in the destination city or confirming that the destination expert is familiar with the destination.
28. However, Lauffer does disclose obtaining expert characteristics to include: details of expertise, address, and quality scores (Abstract, C1 L19-67, C2 L1-36).
29. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein determining a destination expert comprises determining a destination expert of the plurality of experts, wherein the destination expert is located in the destination city or confirming that the destination expert is familiar with the destination, in the system disclosed by Lauffer, for the advantage of providing a method (system, computer-readable storage, device) for providing travel-related information, with

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the ability to increase quality service by ensuring the experts have the qualification necessary to offer correct advice.

30. As per Claims 3, 15, and 22, Taufique, Lauffer, Gerace, and Delorme disclose wherein communicating with the customer over the computer network includes receiving a credit card number from the customer.
31. As per Claims 4, 16, and 23, Taufique, Lauffer, Gerace, and Delorme fail to expressly disclose wherein the destination expert can communicate a response and wherein the destination expert response includes an offer to book reservations relating to the request.
32. As per Claims 5, 17, and 24, Taufique, Lauffer, Gerace, and Delorme disclose receiving the destination expert response from the destination expert and forwarding the destination expert response to the customer.
33. As per Claims 18, and 25, Taufique, Lauffer, Gerace, and Delorme disclose facilitating a transaction with the customer, wherein the transaction relates to the request.
34. As per Claims 7, 19, and 26, Taufique, Lauffer, Gerace, and Delorme disclose monitoring communications of the destination expert server.
35. As per Claim 11, Taufique, Lauffer, Gerace, and Delorme disclose wherein the destination expert server is accessible to the customer via the Internet.
36. As per Claim 12, Taufique, Lauffer, Gerace, and Delorme disclose wherein the plurality of experts is in selective communication with the destination expert server via electronic mail.
37. As per Claims 27, 29, and 31, Taufique, Lauffer, Gerace, and Delorme disclose wherein the step of retrieving an answer from an answer database is performed automatically without intervention by the destination expert.

Response to Arguments

38. Applicant's arguments filed 12/19/2006, with respect to Claims 1-3, 5, 7-15, 17-22, 24-26, 28, 30, 32, 33, have been considered but are not persuasive. The rejection will remain as NON-FINAL, based on the cited prior art.
39. The Applicant has made the argument that the cited prior art fails to teach or suggest compiling offer data regarding the most frequently requested destination based on information stored in the answer database relating to a subset of customers, wherein the offer data is used to select an offer relevant to the offer data for presentation to the customer.
40. However, Gerace discloses providing target advertisements to users (presentation to customer) based on user psychographic profile information (internet viewing habits – equivalent to an answer data base relating to a subset of customers; where the subset is that of the one current customer information) (Abstract, Claims 1-5).

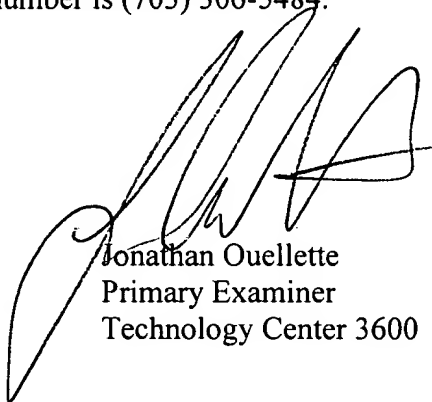
Conclusion

41. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
42. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (703) 872-9306 for all official communications.

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43. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

February 23, 2007



Jonathan Ouellette
Primary Examiner
Technology Center 3600